

REMARKS

Applicants have carefully reviewed and considered the Office Action dated October 26, 2009, and the references applied therein. In response, applicants have cancelled, without prejudice, claims 2, 7, 9, 14, 23, 25-30, 32, 34, 37, 44, 47, 49, and 51-54; amended claims 1, 3, 10, 12, 15, 18-22, 31, 33, 36, 38, 39, 41-43, and 46; and added new claims 55-60 to further define the invention. Applicants respectfully submit that no new matter has been added by way of the amendments.

With the amendments made herein, claims 1, 3-6, 8, 10-13, 15-22, 31, 33, 36, 38-43, 45, 46, and 55-60 are currently pending, and claims 1, 31, and 55 are independent. Applicants withdraw all previous statements made in support of the patentability of claims 1-54.

Applicants believe that the application is in condition for allowance. Accordingly, favorable reconsideration in light of the following remarks is requested.

Claims 1, 3-6, 8, 10-13, 15-22, 31, 33, 36, 38-43, 45, and 46 stand rejected under Section 103 as being obvious in view of the combination of Eizenburg et al.'s U.S. Patent Application Publication No. US 2002/0026336, Kleinberg's U.S. Patent Application Publication No. US 2001/0037265, and U.S. Patent No. 6,639,081 [*sic*, 6,629,081] to Cornelius. *See* Oct. 26, 2009 Office Action, page 3. Applicants respectfully submit that the pending rejections of these claims should be withdrawn and that new claims 55-60 should be allowed.

With respect to amended claim 1, it is respectfully submitted that the proposed combination of Eizenburg, Kleinberg, and Cornelius fails to render amended claim 1 unpatentable. In particular, the applied references fail to teach or suggest a method for facilitating travel insurance sales on a computer system that is receiving data during a travel reservation purchase routine having the combination of steps and features described in amended claim 1. For example, these references fail to teach, suggest or otherwise render obvious a method for facilitating travel insurance sales on a computer system that is receiving data during a travel reservation purchase routine that includes the steps of (1) monitoring data streams associated with at least one data sequence entered in a travel reservation purchasing routine accessed through a travel reservation computer station and (2) in response to identifying the

predetermined data stream, executing a travel insurance purchase routine which includes launching a window offering an option to purchase travel insurance and, after receiving an indication of acceptance to purchase travel insurance, automatically launching at least one form with travel insurance data fields and populating at least a portion of the travel insurance data fields with data from the stored data streams previously entered during the travel reservation purchase routine.

The MPEP requires that “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” MPEP § 2143.03, 8th Ed., Rev. 6, Sept. 2007 (citation omitted). Furthermore, as set forth in the MPEP, when evaluating the differences between features of a claim and the prior art, “the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention *as a whole* would have been obvious.” *Id.* at § 2141.02(I) (emphasis in original). When all of the words in the claim are considered, the applied references do not render unpatentable a method for facilitating travel insurance sales on a computer system that is receiving data during a travel reservation purchase routine having all of the steps and features of amended claim 1.

In Eizenburg, a server is provided for generating at least one customized travel web page which is accessible by a traveler over a computer network. The customized travel web page is created through an interactive process that allows the traveler and a travel agent to decide jointly upon journey details by populating a number of travel templates with travel information related to the travel information requirements provided by the traveler to the travel agent. *See* Eizenburg, Abstract. In Eizenburg, the “end user can select journey options ... which allows the user to buy insurance.” Page 6, ¶ 80.

Eizenburg fails to address any further steps used to carry out the purchase of the insurance. Thus, Eizenburg fails to teach or suggest the steps of monitoring a travel reservation purchasing routine for a predetermined data stream and launching a travel insurance purchase routine when such data stream is identified where travel insurance routine automatically launches at least one form with travel insurance data fields and populates at least a portion of the travel insurance data fields with data from the stored data streams previously entered during the travel reservation purchase routine. Without acquiescing in any way that it is appropriate to modify

Eizenburg as proposed in the Office Action, Kleinberg and Cornelius both fail to overcome the deficiencies in Eizenburg.

Kleinberg is directed to a method and system for selling insurance on-line, particularly where there is an affiliate involved in the transaction who may receive a fee. Kleinberg, Abstract. "A buyer viewing an affiliate Web page initiates an inquiry about a product or service with controlled availability." *Id.*, page 2, ¶ 17. "The initial or referring Web page responds to the customer inquiry using a hyperlink to a next transactional Web page." *Id.* at ¶ 18. "The transactional Web page provides an interface to a database with information regarding the services or products being sold." *Id.* at ¶ 19.

Kleinberg is directed to providing an e-commerce technique "to enable an intermediary such as a travel agency or sales agent to refer a customer to an authorized seller in exchange for a commission or referral fee" (*Id.* at ¶¶ 14, 15):

By using URL parameters, session or application variables, cookies or similar techniques, the transactional Web page and any additional transactional Web Pages can identify the affiliate providing the referring Web page. By using client variables, cookies or similar techniques, subsequent visits to the transactional Web Page can identify the original affiliate. Identification of the affiliate ensures that a referral fee or commission can be accurately computed and properly attributed. In an alternate embodiment, information identifying the affiliate can be entered directly at the transactional web site by the customer or affiliate.

Id. at ¶ 18.

Kleinberg fails to teach or suggest a method for facilitating travel insurance sales on a computer system that is receiving data during a travel reservation purchase routine that includes, in response to identifying a predetermined data stream, executing a travel insurance purchase routine which includes launching a window offering an option to purchase travel insurance and, after receiving an indication of acceptance to purchase travel insurance, automatically launching at least one form with travel insurance data fields and populating at least a portion of the travel insurance data fields with data from the stored data streams previously entered during the travel reservation purchase routine. The Office Action fails to provide a credible reason for one skilled

in the art to modify the Eizenburg customized travel web page based upon the Kleinberg e-commerce referral technique in such a way that would arrive at the method of amended claim 1.

In Cornelius, a system, method and article of manufacture are provided for account settlement utilizing a network. First, a buyer is allowed to select from a group of options (*i.e.*, a minimum balance, partially settling, settling a full balance, and applying for an import loan on payment due date) to settle an account using a network. The selected option is then received using the network. Finance interest may then be booked against the buyer for an unpaid portion of the account if the selected option includes either settling a minimum balance or partially settling. If the selected option includes settling a full balance, the account may be reconciled. If the selected option includes applying for an import loan on payment due date, an import loan can be booked, and a credit line can be transferred to a trade loan line. *See* Cornelius, Abstract. Cornelius has at least the same deficiencies as Kleinberg. The Office Action fails to provide a credible reason for one skilled in the art to modify the Eizenburg customized travel web page based upon the Cornelius e-commerce account settlement technique in such a way that would arrive at the method of amended claim 1.

As such, the proposed combination of Eizenburg and Kleinberg and/or Cornelius does not result in the disclosure of all the elements of amended claim 1. In other words, if one of ordinary skill in the art were to combine the teachings of these references, one of ordinary skill in the art would not necessarily arrive at the present invention.

Applicants note that the Office does not otherwise provide a credible reason for one of ordinary skill in the art to modify the techniques disclosed in any of the applied references to provide the method of amended claim 1. “[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *KSR Int'l v. Teleflex Inc.*, 550 U.S. 398, 418, 82 U.S.P.Q.2d 1385, 1396 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006) (emphasis added)). Accordingly, the present invention as defined by amended claim 1 is not obvious in view of the applied references, and the obviousness rejection should be withdrawn.

Claims 3-6, 8, 10-13, and 15-22 all depend directly or indirectly from claim 1. Accordingly, these dependent claims contain the same patentable features of claim 1. Thus, applicants respectfully request that the rejections of claims 3-6, 8, 10-13, and 15-22 be reconsidered and withdrawn.

With respect to amended claim 31, it is respectfully submitted that the proposed combination of Eizenburg, Kleinberg, and Cornelius fails to render amended claim 31 unpatentable. In particular, the applied references fail to teach or suggest a computer readable medium having stored thereon computer executable instructions for facilitating travel insurance sales in parallel with a GDS system for booking a travel reservation for a traveler having the combination of features described in amended claim 31. For example, these references fail to teach, suggest or otherwise render obvious a computer readable medium having stored thereon computer executable instructions for monitoring input data streams entered in the GDS system for booking a travel reservation; identifying a predetermined portion of the input data stream that signifies a predetermined point in a travel reservation booking process; in response to identifying the predetermined portion of the input data stream, launching a reminder graphic visible in a display to offer the traveler an option to purchase travel insurance; and, in response to receiving an indication the traveler accepts the offer to purchase travel insurance, executing a travel insurance purchase routine that A) automatically launches at least one form with data fields corresponding to a set of data used to purchase travel insurance and B) populates at least a portion of the data fields with data from the stored input data streams.

As such, the proposed combination of Eizenburg and Kleinberg and/or Cornelius does not result in the disclosure of all the elements of amended claim 31. In other words, if one of ordinary skill in the art were to combine the teachings of these references, one of ordinary skill in the art would not necessarily arrive at the present invention. Applicants note that the Office does not otherwise provide a credible reason for one of ordinary skill in the art to modify the computer readable media disclosed in any of the applied references to provide the computer readable media of amended claim 31. Accordingly, the present invention as defined by amended claim 31 is not obvious in view of the applied references, and the obviousness rejection should be withdrawn.

Claims 33, 36, 38-43, 45, and 46 all depend directly or indirectly from claim 31. Accordingly, these dependent claims contain the same patentable features of claim 31. Thus, applicants respectfully request that the rejections of claims 33, 36, 38-43, 45, and 46 be reconsidered and withdrawn.

With respect to new claim 55, it is respectfully submitted that new claim 55 patentably distinguishes over the applied references. In particular, the applied references fail to teach or suggest a method for facilitating travel insurance sales to a traveler booking a travel reservation having the combination of steps and features described in new claim 55. For example, these references fail to teach, suggest or otherwise render obvious a method for facilitating travel insurance sales to a traveler booking a travel reservation including the steps of monitoring travel reservation data entered into the travel reservation booking routine, identifying a predetermined data stream in the travel reservation data being monitored, in response to identifying the predetermined data stream, launching a graphic visible in a display, the graphic adapted to remind to offer the traveler an option to purchase travel insurance, in response to receiving an indication the traveler accepts the offer to purchase travel insurance, launching at least one form with travel insurance data fields corresponding to a set of travel insurance data used to purchase travel insurance, and in response to receiving an indication that the option to purchase travel insurance is declined, generating a graphical notice on a travel itinerary for the travel reservation generated by the travel reservation booking routine, the graphical notice adapted to indicate that the traveler has been offered and has declined travel insurance.

New claims 56-60 all depend directly or indirectly from claim 55. Accordingly, these dependent claims contain the same patentable features of claim 55. Thus, applicants respectfully request that claims 56-60 be allowed for at least the same reasons as claim 55.

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Paul J. Filbin/Reg. No. 51,677
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6731
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: March 29, 2010